

**NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS  
FOR TIERED PROJECTS AND PROGRAMS**

**Date of Posting:** January 12<sup>th</sup>, 2022

*Village of Malcolm*

*137 East 2<sup>nd</sup> Street*

*Malcolm, Nebraska 68402*

*402-796-2250*

**On or after January 24<sup>th</sup>, 2022 the Village of Malcolm will submit a request to the Nebraska Department of Economic Development for the release of Community Development Block Grant owner-occupied rehabilitation funds under Title 1 of the Housing and Community Development Act of 1974, as amended, to undertake the following project:**

**Tier 1 Broad Review Project/Program Title:** *Village of Malcolm Owner-Occupied Rehabilitation*

**Purpose:** *To provide rehabilitation of qualified existing owner-occupied homes within the Village of Malcolm, Nebraska. A Tier II (Site Specific) review will be completed as sites are selected for the owner-occupied rehabilitation (OOR) program. Funding for the project includes \$315,000 in CDBG funds. No additional activities are anticipated within the program area.*

**Location:** *Village of Malcolm, Nebraska; specific addresses will be assessed in the site-specific reviews.*

**Project/Program Description:** *The program will assist a total of ten (10) income eligible homeowners (incomes at or below 80% of the Median Household Income for Lancaster County) in providing substantial rehabilitation to their homes to satisfy all HQS, NDED Minimum Standards for Rehabilitation, and Local Building Codes. All assisted properties will be located within the municipal limits of the Village of Malcolm.*

**Tier 2 site specific reviews will be completed for those laws and authorities not addressed in the tier 1 broad review for each address under this program when addresses become known.**

**Level of Environmental Review Citation:** *24 CFR Part 58.35(a)(3)(i)*

**Tier 2 Site Specific Review:** *The site specific reviews will cover the following laws and authorities not addressed in the Tier 1 broad review: Contamination and Toxic Substances, Endangered Species, Environmental Justice, Explosive and Flammable Operations, Floodplain Management, Historic Preservation, and Noise Control*

**Mitigation Measures/Conditions/Permits (if any):** *Upon Tier II review, all environmental concerns will be mitigated and addressed if present.*

**Estimated Project Cost:** *The Village was awarded \$315,000 in 2021 CDBG funds to implement a Village-wide "Owner-Occupied Housing Rehabilitation Program." Ten (10) homes are to be rehabilitated for LMI owner-occupant families as a result of the program. 100% of the CDBG funds will benefit Low to Moderate Income persons. Of the CDBG Funds awarded, \$250,000 will be applied to Housing Rehabilitation Code 14A, \$30,000 for Housing Management Code 14H, \$15,000*

*towards Lead-Based Paint/Lead Hazards Testing Code 14I, and \$20,000 to General Administration Code 21A.*

**The activity/activities proposed are categorically excluded under HUD regulations at 24 CFR Part 58 from National Environmental Policy Act (NEPA) requirements per 24 CFR Part 58.35(a)(3)(i). An Environmental Review Record (ERR) that documents the environmental determinations for this project is on file at the Village of Malcolm, 137 East 2<sup>nd</sup> Street, Malcolm, NE 68402 and may be examined or copied weekdays 8 A.M to 5 P.M.**

## **PUBLIC COMMENTS**

**Any individual, group, or agency may submit written comments on the ERR to the Village of Malcolm. All comments received by January 22<sup>nd</sup>, 2022 will be considered by the Village of Malcolm prior to authorizing submission of a request for release of funds.**

## **ENVIRONMENTAL CERTIFICATION**

**The Village of Malcolm certifies to the State of Nebraska, Department of Economic Development that Jerad Little, Certifying Officer, in his capacity as Board Chairperson consents to accept the jurisdiction of the Federal Courts if an action is brought to enforce responsibilities in relation to the environmental review process and that these responsibilities have been satisfied. The State of Nebraska, Department of Economic Development's approval of the certification satisfies its responsibilities under NEPA and related laws and authorities and allows the Village of Malcolm to use HUD program funds.**

## **OBJECTIONS TO RELEASE OF FUNDS**

**The State of Nebraska, Department of Economic Development will accept objections to its release of fund and the Village of Malcolm's certification for a period of fifteen days following the anticipated submission date or its actual receipt of the request (whichever is later) only if they are on one of the following bases: (a) the certification was not executed by the Certifying Officer of the Village of Malcolm; (b) the Village of Malcolm has omitted a step or failed to make a decision or finding required by HUD regulations at 24 CFR part 58; (c) the grant recipient or other participants in the development process have committed funds, incurred costs or undertaken activities not authorized by 24 CFR Part 58 before approval of a release of funds by the State of Nebraska, Department of Economic Development; or (d) another Federal agency acting pursuant to 40 CFR Part 1504 has submitted a written finding that the project is unsatisfactory from the standpoint of environmental quality. Objections must be prepared and submitted in accordance with the required procedures (24 CFR Part 58, Sec. 58.76) and shall be addressed to the State of Nebraska, Department of Economic Development at 301 Centennial Mall South, PO Box 94666, Lincoln, NE 68509-4666. Potential objectors should contact the State of Nebraska, Department of Economic Development to verify the actual last day of the objection period.**

*Jerad Little, Board Chairperson, Certifying Officer*